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14 Emily Katherine Weitzel

15 UNITED STATES DISTRICT COURT

16 NORTHERN DISTRICT OF CALIFORNIA

17 LEXINGTON INSURANCE COMPANY,) Case No.: C 07-01268SI
18 Plaintiff,)
19 vs.) STIPULATION AND ORDER OF DISMISSAL
20 PETER D. COLLINS, et al.,)
21 Defendants.)
22)
23)
24)
25)
26)
27)
28)

21 Pursuant to Rule 41(a), Federal Rules of Civil Procedure, plaintiff Lexington
22 Insurance Company and defendant Emily Katherine Weitzel, through undersigned counsel,
23 hereby stipulate to the dismissal of this action.

24 Defendant Daniel Ivan Porter has made a *pro se* appearance in this action, but
25 is understood to be currently incarcerated. The remaining defendant, Peter Daniel
26 Collins, has not filed an appearance herein. No defendant has filed a counterclaim,
27 cross-claim or third-party claim herein.

Dated: July 23, 2009

Philip A. Fant
Attorney for Plaintiff
Lexington Insurance Co.

Dated: July 23, 2009

Petra M. Reinecke
Attorney for Defendant
Lexington Insurance Co.

ORDER

IT IS SO ORDERED.

Dated:

Susan Mlotek

U.S. DISTRICT JUDGE